

**LICENSE PLATES AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Luz Robles**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Motor Vehicle Act by amending provisions relating to license plates.

**Highlighted Provisions:**

This bill:

- ▶ provides that a license plate is not required to be attached to the front of the vehicle if the vehicle was not originally designed and manufactured to hold a front license plate;

- ▶ repeals the provision that provides that enforcement of the requirement to display a license plate on the front of a vehicle shall only be as a secondary action when the vehicle has been detained for a suspected violation of another offense by any person in the vehicle;

- ▶ provides that the requirement to attach a license plate to the front of a vehicle shall only be enforced if the vehicle is in motion;

- ▶ provides that a violation of the requirement to attach a license plate to the front of a vehicle is an infraction rather than a class C misdemeanor;

- ▶ provides that a court shall waive the fine for a violation of the requirement to attach a license plate to the front of a vehicle in certain circumstances;

- ▶ requires a vehicle to have a tail light or a separate light that illuminates with a white light the rear license plate;



- 28           ▶ requires that the light illuminating the rear license plate be wired to be lighted
- 29 whenever the headlights or auxiliary driving lights are lighted;
- 30           ▶ provides a penalty for violating the rear license plate illumination requirement;
- 31           ▶ provides that a court shall waive the fine for a violation of the rear license plate
- 32 illumination requirement in certain circumstances; and
- 33           ▶ makes technical changes.

34 **Money Appropriated in this Bill:**

35           None

36 **Other Special Clauses:**

37           None

38 **Utah Code Sections Affected:**

39 AMENDS:

40           **41-1a-404**, as last amended by Laws of Utah 2008, Chapter 106



42 *Be it enacted by the Legislature of the state of Utah:*

43           Section 1. Section **41-1a-404** is amended to read:

44           **41-1a-404. Location and position of plates.**

45           (1) [~~Eicense~~] (a) Except as provided in Subsection (1)(b), license plates issued for a

46 vehicle other than a motorcycle, trailer, or semitrailer shall be attached to the vehicle, one in

47 the front and the other in the rear.

48           (b) A license plate is not required to be attached to the front of the vehicle under this

49 Subsection (1) if the vehicle was not originally designed and manufactured to hold a front

50 license plate.

51           (2) The license plate issued for a motorcycle, trailer, or semitrailer shall be attached to

52 the rear of the motorcycle, trailer, or semitrailer.

53           (3) Every license plate shall at all times be:

54           (a) securely fastened:

55           (i) in a horizontal position to the vehicle for which it is issued to prevent the plate from

56 swinging;

57           (ii) at a height of not less than 12 inches from the ground, measuring from the bottom

58 of the plate; and

59 (iii) in a place and position to be clearly visible; and

60 (b) maintained:

61 (i) free from foreign materials; and

62 (ii) in a condition to be clearly legible.

63 [~~(4) Enforcement by a state or local law enforcement officer of the requirement under~~

64 ~~Subsection (1) to attach a license plate to the front of a vehicle shall be only as a secondary~~

65 ~~action when the vehicle has been detained for a suspected violation by any person in the~~

66 ~~vehicle of Title 41, Motor Vehicles, other than the requirement under Subsection (1) to attach a~~

67 ~~license plate to the front of the vehicle, or for another offense.]~~

68 (4) The requirement under Subsection (1) to attach a license plate to the front of a  
69 vehicle shall only be enforced if the vehicle is in motion.

70 (5) (a) Either a tail light or a separate light shall be constructed and placed to illuminate  
71 with a white light the rear license plate and render it legible from a distance of 50 feet to the  
72 rear.

73 (b) A light described in Subsection (5)(a) illuminating a rear license plate shall be  
74 wired to be lighted whenever the headlights or auxiliary driving lights are lighted.

75 (6) (a) Except as provided in Subsections (6)(b) and (c), a violation of this section is a  
76 class C misdemeanor.

77 (b) (i) A violation of the requirement under Subsection (1) to attach a license plate to  
78 the front of a vehicle is an infraction.

79 (ii) A court shall waive the fine for a violation of the requirement under Subsection (1)  
80 to attach the license plate to the front of a vehicle if:

81 (A) the person demonstrates that the person has attached a license plate to the front of  
82 the vehicle subsequent to the violation but before sentencing; and

83 (B) the person has not previously been cited for a violation of the requirement under  
84 Subsection (1) to attach the license plate to the front of a vehicle.

85 (c) (i) A violation of the requirement under Subsection (5) to illuminate the rear license  
86 plate on a vehicle is an infraction.

87 (ii) A court shall waive the fine for a violation of the requirement under Subsection (5)  
88 to illuminate the rear license plate on a vehicle if:

89 (A) the person demonstrates that the person has complied with the requirements of

90 Subsection (5) subsequent to the violation but before sentencing; and  
91 (B) the person has not previously been cited for a violation of the requirement under  
92 Subsection (5) to illuminate the rear license plate on a vehicle.

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**Legislative Review Note**  
**as of 1-10-12 4:04 PM**

**Office of Legislative Research and General Counsel**